

# OLYMPIC COAST NATIONAL MARINE SANCTUARY

## Meeting Minutes

Sanctuary Advisory Council Meeting  
January 22, 2010  
Olympic Natural Resources Center  
Forks, Washington

Olympic Coast National Marine Sanctuary  
NOAA, National Marine Sanctuary Program  
115 E. Railroad Avenue, Suite 301  
Port Angeles, WA 98362-2925  
FAX # 360-457-8496

Reviewed by SAC Secretary

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Reviewed by OCNMS Superintendent

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Approved by SAC

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## Attendees

### **Members**

Ellen Matheny, Education  
John Calambokidis, Research alternate  
Joe Schumacker, Quinault Nation  
Matt Longenbaugh, National Marine Fisheries Service  
Gene Woodwick, Education alternate  
Jennifer Hagen, Quileute Nation alternate  
Caroline Gibson, Northwest Straits Commission  
Joel Kawahara, Commercial Fishing  
Jody Kennedy, Conservation  
Chip Boothe, Wash. Dept. of Ecology  
Bob Bohlman, Marine Industry  
Corey Niles, Wash. Dept. of Fish & Wildlife alternate  
Brady Scott, Wash. Dept. of Natural Resources  
Teresa Scott, Wash. Dept. of Fish & Wildlife  
Diane Butorac, Wash. Dept. of Ecology alternate  
Terrie Klinger, Research  
Roy Morris, Citizen-at-large  
Steve Fradkin, Olympic National Park  
Phil Johnson, Local Government  
Mel Moon, Quileute Nation  
Micah McCarty, Makah Nation  
Dana Sarff, Makah Nation alternate

### **Staff**

Carol Bernthal, Superintendent  
George Galasso, Assistant Superintendent  
Liam Antrim, Resource Protection Specialist  
Lauren Bennett, Management Plan Review Specialist  
Andy Palmer, Advisory Council Coordinator  
Helène Scalliet, ONMS MPR Specialist

### **Public**

Eric Wilkins, Northwest Indian Fisheries Commission  
John Richmond, Citizen  
Rich Osborne, Clallam County  
Fred Felleman, Friends of the Earth  
Ed Bowen, Citizen  
Amanda Murphy, UW School of Marine Affairs  
Richard Carol, Ocean Gold Seafoods  
Marcie Kever, Friends of the Earth  
Greg Shaughnessey, Ocean Gold Seafoods

Terrie Klinger gavelled the meeting to order. After first going around the room with introductions, she explained that a report on the conference call with affected agencies and governments will be moved up on the agenda. The action item relating to this call will still occur this afternoon as indicated in the agenda. She noted that the draft strategy and actions that will be considered today are a result of a year-long process that included a lot of public input. The executive committee views these documents as close to being final. She also noted that public comment periods are provided before voting on each of the final documents.

### **Ocean Literacy Workshop recommendations**

Ellen Matheny summarized the report of the Ocean Literacy Workshop (refer to the OCNMS website [http://olympiccoast.noaa.gov/protection/mpr/olit\\_wkshp\\_final\\_01\\_22\\_10.pdf](http://olympiccoast.noaa.gov/protection/mpr/olit_wkshp_final_01_22_10.pdf))

Strategies include: 1) enhancing K – 12 educational opportunities, 2) enhance services to visitors to the sanctuary, 3) strengthen community outreach, 4) enhance the use of new technology, and 5) promote career building opportunities. Each of these topic will take money and staff time to support these strategies. Members noted that only one of the coastal school districts were able to participate. Lauren explained that they were all invited, but for a number of teachers it was difficult to get the funds and the time to participate. In addition, the draft document from the workshop was sent out to an extensive list of science teachers in the school districts for their comment. Carol Bernthal stated that she thought we got good feedback and ideas from the workshop and that this provides a good basis from which to move forward, but she is open to hearing some specific suggestions about how in the future we can best get input from the coastal school districts. Several members of the public made comments on this report. Fred Felleman urged that it shouldn't be just limited to ocean literacy, but include getting information out to the public about what the sanctuary is. This could be done through using enhanced technology besides the website, including live streaming data and webcams. Ed Bowen noted that the report doesn't mention reaching out to the population of home-schooled children. Amanda Murphy noted that she would like to see a component relating to cultural literacy as well as ocean literacy. ***Bob Bohlman moved that the advisory council adopt the recommendations on strategies and activities of the Ocean Literacy Workshop taking into account the comments made concerning enhancing outreach to the classroom, using new technology and reaching out to home-schooled children. Teresa Scott seconded the motion. The motion passed unanimously, with no abstentions.***

### **Collaborative Research, Assessment, and Monitoring Working Group (CRAM)**

Joe Schumaker walked the advisory council through the contents of the CRAM recommendations on strategies and activities as well as the methodology and process that the working group used to arrive at the recommendations (refer to the document posted on the OCNMS website at [http://olympiccoast.noaa.gov/protection/mpr/cram\\_wg\\_final\\_1\\_22\\_10.pdf](http://olympiccoast.noaa.gov/protection/mpr/cram_wg_final_1_22_10.pdf)).

Strategies and activities in this document are organized into four general topics: 1) Habitat Mapping & Classification; 2) Physical & Chemical Oceanography; 3) Populations, Communities, and Ecosystems and 4) Data Management, Sharing, and Reporting. Members discussed a couple of recommendations (the habitat recommendation and understanding physical and chemical oceanographic processes) that appear in both the CRAM report and the Living Resource Conservation working group report and the fact that they were somewhat different. Staff responded that they are different because each of the groups treated from a slightly

different aspect. It is the intention of the staff to combine them and capture both perspectives in the action plans.

One member noted that the data management portion of the recommendations could be strengthened, since this was a crucial element. He also pointed out the Olympic National Park is developing a shoreside ocean acidification project and that would provide a good opportunity to partner with the sanctuary. One member asked about what happened to the consideration of human actions within the sanctuary as part of these recommendations. Staff responded that the group did consider this initially, but felt that it didn't have the expertise and that was probably better handled in the Socio-economic portion of the recommendations as reflected by the appended "key notes" in the document. A member urged the addition of the Navy as a partner under the marine mammal recommendations as well as various non governmental organizations. A member requested that the coastal tribes each be listed as a partner under the harmful algal bloom recommendations.

One public commenter urged that the public be engaged in the ground-truthing of the mapping efforts, especially in the intertidal zone. He also urged that under the marine mammal recommendations that the impact of predators on prey species be considered as those populations change. A public representative urged the inclusion the Navy as potential partners in the mapping portion of the report, the inclusion of a year around effort to collect data on community characterization, to consider studying the resident orca use of the sanctuary, looking at the role of vessel discharges and the introduction of invasive species, and the need to do a condition report more frequently than once every five years. A member of the public urged that there be some emphasis on looking at terrestrial nutrients and pollutants discharges to the sanctuary from the rivers. Staff pointed out that the Living Resource Conservation section mentioned the runoff.

***Joel Kawahara moved that the report with the additions discussed be forwarded as a recommendation to the sanctuary superintendent. Brady Scott seconded the motion. The motion passed unanimously with no abstentions.***

Rich Osborne, Clallam County watershed coordinator, reported on that coastal marine resource committees (MRCs) have been established. The North Olympic MRC has completed final required paperwork and is looking for members. Solicitations for the non governmental members have just been sent out. Earlier public meetings identified ocean literacy and working with the schools as a high priority. Some initial funds are available toward working with coastal school districts February through June.

Joe Schumaker reported on the recent NOAA workshop on west coast deep water coral research priorities. He reported that it was a good workshop with good input from a broad range of interests. It focused mainly on projects for 2011 and 2012. Carol Bernthal added that it is also likely that OCNMS and other west coast sanctuaries will get some deep water survey time on NOAA ships this year.

### **Living Resource Conservation Strategies and Activities Report (LRC)**

Teresa Scott described the contents of the LRC (refer to the OCNMS web site [http://olympiccoast.noaa.gov/protection/mpr/lrc\\_wg\\_final\\_01\\_22\\_10.pdf](http://olympiccoast.noaa.gov/protection/mpr/lrc_wg_final_01_22_10.pdf)). She acknowledged the work of Fan Tsao who served as the co-chair of this the LRC, who has just moved on to working with NOAA's deep sea coral research program. She noted that a significant number of

the topics treated in this report are “cross-cutting” issues, aspects of which were included in other reports, especially in the CRAM document. A member asked if derelict vessels were included under the marine debris section. Teresa responded that while they may not be specifically called out, it was the intention of the group to include them as part of the marine debris issue. A member noted that a number of marine mammal related impacts including underwater noise, ship strikes, alternative energy development, and entanglement don’t seem to be treated and perhaps there should be a concise strategy capturing these impacts. Terrie Klinger suggested that the underwater noise issues could go into the CRAM report by adding acoustic monitoring moorings to relevant sections. Other issues could go together into one concise strategy. George Galasso indicated that it would be best to make the changes in the next document, the action plans, and not spend a lot of re-editing these documents. Terrie Klinger suggested that AC members could work with staff to easily include some wording capturing this discussion in these documents. Other members agreed and felt that the way they have been proceeding, passing resolutions noting the need to incorporate the discussion, is the right way to proceed. One member noted that a reference to non-tribal kelp harvest was in the LRC document, but that the group had agreed to drop it. Other members agreed with that recollection and that it should be dropped.

Under public comment, one public member was concerned how the sanctuary visitors understanding of the low-level flight restrictions might not know that there are a suite of legitimate low-level flights, such as Coast Guard search and rescue activities among other things. This item should have a public education component. Another member public mentioned that they appreciated individual sanctuaries taking it upon their own initiative to ban discharges into sanctuary waters. They suggested that in order to make it consistent with other west coast sanctuaries, the no-discharge strategy should include all vessels over 300 gross tons, not just cruise ships. In addition, there needs to be a recognition that the current MOU between the state and the cruise ship industry is only an voluntary interim measure until regulations are developed. AC members discussed the strategies relating to ship discharges in the sanctuary, pointing out LRC activities A through E on page 8 cover some the issues raised by public comments, but they did not capture completely the intent of the workgroup deliberations. There was an extended discussion on how best to modify the text to capture the points and concerns raised by members of the public. Teresa Scott summarized the changes that had been suggested regarding marine mammal impacts and low-level flights. ***Chip Boothe moved to adopt the changes that Teresa outlined and to add a clause at the beginning of Activity B on page 8 that reads “In absence of specific sanctuary regulations prohibiting discharges,” leaving the rest of the paragraph as written. Jennifer Hagen seconded the motion. The motion passed unanimously with one abstention by the Makah representative who explained that the tribe could not concur at this point until it was better understood how the adopted vessel discharge language may or may not affect some of their fisheries.***

### **Spills Prevention, Preparedness, Response and Restoration Strategies and Activities (SPPRR)**

Chip Boothe reminded members of the charge given the SPPRR working group by the goals and objects. It was to maintain the natural biodiversity and in the course of doing that, protect, restore and enhance as necessary the sanctuary ecosystems and processes. The Working Group divided itself into three subgroups: Prevention, Preparedness and Response, and Restoration.

Bob Bohlman summarized the recommendations of the Prevention Subgroup (see the OCNMS web site at [http://olympiccoast.noaa.gov/protection/mpr/spills\\_wg\\_final\\_01\\_22\\_10.pdf](http://olympiccoast.noaa.gov/protection/mpr/spills_wg_final_01_22_10.pdf)). One of the recommended actions is to have the Harbor Safety Committee develop a standard of care for towing vessels to make it easier to determine whether a towed barge is laden or unladen, and hence whether it should be transiting within the ATBA.

Chip Boothe gave a summary of the Preparedness and Response Subgroup (see web site noted previously). Recommendations include working with partners to increase preparedness through drills and participation in other regional oil spill planning activities. Highlighted recommendations include to improving OCNMS participation in natural resource assessment and planning, and ensuring that trust resources are adequately recovered. He noted that P&R4, Activity G is a duplication of an earlier strategy, so one or the other should be eliminated. He recommended that the AC strike the Strategy P&R3 and leave it as an activity.

Members and staff discussed the way OCNMS interacts with the Northwest Area Committee including working through the NOAA representative and the option to engage the Committee directly if an important issue affecting the sanctuary is on the table. The AC recommended adding the phrase “communicate with and participate in” at the beginning of all of the Activities D through I under Strategy P&R1.

A public commenter noted that even unladen barges and empty vessels still have substantial residual pollutants and should be kept out of the sanctuary. In addition, OCNMS could acquire AIS data without necessarily going through the Marine Exchange. He noted a number of activities that need to add the tribes and others, including Canadian agencies as partners in these activities. One member related that the Channel Islands is now logging their own AIS data which has turned out to be more detailed than what is supplied by the local marine exchange.

***Teresa Scott moved the adoption of the SPPRR working group recommendations modified by the points raised advisory council members and public members. Joel Kawahara seconded the motion. The motion was adopted unanimously with no abstentions.***

### **Maritime Heritage Workshop Recommendations (MH)**

Terrie Klinger explained that a last minute conflict prevented the co-chairs of the MH Workshop from attending the meeting. Instead Lauren Bennett gave a summarization of the recommendations of the MH Workshop. She noted that the holidays resulted in a number of people missing the workshop, so staff will still be seeking input from some folks as they prepare the Action Plans. Recommendations included supporting research on existing collections of historical artifacts and cultural resources, partnerships with both tribes and non tribal community to get a sense of what local and traditional knowledge exists in these communities, how to incorporate it into sanctuary decision-making, and improving general understanding of treaty trust responsibilities.

An advisory council member recommended adding in the Washington State Historical Preservation as a partner. Another council member noted that a lot of information that is collected by institutions on cultural resources rarely makes it back to the communities where it is collected. Members felt that changing the wording in Activity D on page 5 to include sharing information where appropriate with communities would resolve this problem. ***Bob Bohlman***

*moved the Maritime Heritage Workshop recommendations with the changes as agreed upon. Caroline Gibson seconded the motion. The motion passed unanimously with no abstentions.*

### **Report on Collaborative and Coordinated Management (CCM) conference call**

Terrie Klinger called attention that this was discussed briefly earlier and there were notes of the conference call that were distributed to AC members. It was the recommendation of the people on the call that language concerning local communities and the sanctuary advisory council should be moved to the Sanctuary Operations Strategies and Activities. In addition, they recommended moving the one section on increasing collaborative efforts with grass roots organization to the Living Resource Conservation and another portion be moved to Ocean Literacy. Finally, the group recommended stating more clearly cooperation with Canadian partners on international activities such as the Juan de Fuca Eddy project. The major reason for these recommendations is to keep the focus of the CCM on agencies with jurisdiction and management authority. One member noted that every Strategy and Activity topic had elements that crossed over into other areas and we could probably go through each of the previously approved reports and do the same thing. He added that the important thing is that it is in the document somewhere as a recommendation so the staff can use it in developing action plans.

Terrie Klinger noted that procedurally we would need to re-open the CCM Strategies and Activities Report that we had previously voted to recommend the superintendent, amend it, and vote on it again. ***Joel Kawahara moved to rescind the previous vote on the Collaborative and Coordinated Management report. Jennifer Hagen seconded the motion.*** Members discussed the motion. One member argued against the motion, noting that the advisory council would have to go back and look at the goals and objectives that defined the area that Collaboration and Coordinated Management which specifically include reference to involving coastal communities and organizations other than government agencies. Another member didn't see it changing substantially anything, merely moving things around and hence it really wasn't necessary to change it at this point. Another member argued that the original intent was to have a forum where the governments talked to each other. By including the sanctuary advisory council and other organizations, this brings in other players who don't have any management authority. ***The motion was not adopted, with five members voting against the motion, three members voting for the motion, and five members abstaining.***

### **Election of Officers**

Terrie Klinger called for election of officers. Andy Palmer explained the procedure. Three candidates for the chair, vice chair, and secretary were announced at the last meeting. The nominations were still open and any member could propose a name. If there were more than one candidate for a position, then we would use a secret ballot. Otherwise, we can vote by acclamation. Terrie Klinger reminded members that Chip Boothe was nominated for chair, Bob Bohlman was nominated for vice chair, and Brady Scott was nominated for Secretary. ***Roy Morris moved to close the nominations. Joel Kawahara seconded the motion. The motion passed unanimously with no abstentions. Roy Morris moved to elect the announced candidates. Joel Kawahara seconded the motion. The motion passed unanimously with no abstentions.*** The new officers are chair Chip Boothe, vice Chair Bob Bohlman, and secretary Brady Scott.

### **Proposal for Advisory Council to Provide Input on Performance Standards and Measures**

George Galasso gave a brief summary of a proposal with how the advisory council could be involved with the development of performance standards and measures. He proposed that advisory council members provide comments on performance standards and measure via e-mail to the staff over the next two weeks. Specifically they would like to hear from the members what activities should have performance measures and what those measures should be. The staff will report back to the March advisory council meeting the results of these comments. There will also be an e-mail sent out to all members reminding of this opportunity to comment. One member reminded that there has to be a balance between accomplishing the activities and the amount of effort that must go into measuring that accomplishment so that staff is not constantly bogged down evaluating rather than doing the activity. Staff also agreed to send out some examples of performance measures from other management plans as examples to help members think about them.

### **Report on the Phrase “Sanctuary Waters”**

George Galasso reported that at the last meeting there was a request to look at the use of the terms “sanctuary waters” and “sanctuary cultural resources”. Staff also extended this effort to include the term “sanctuary resources”. The overriding concern was that using these terms might imply ownership of these resources, when in fact they don’t. George reviewed the National Marine Sanctuary Act where the term “sanctuary resource” is defined as “any living or non living resource of a national marine sanctuary that contributes to conservation, recreational, ecological, historic, educational, cultural, archeological, scientific, or aesthetic value of the sanctuary.” The term “sanctuary waters” is not in the sanctuary act, but is commonly used throughout sanctuary documents. ONMS does not have a preferred term for this, using the term “sanctuary waters” or “waters within the sanctuary boundary” interchangeably. The sanctuary does not claim “ownership” over any sanctuary resource. ONMS feels the intent of Congress is clear and that the nation marine sanctuary system has clear interest and responsibility over sanctuary resources as defined within their boundaries. Sanctuary authority is not in conflict with existing authorities or rights and that Congress was also clear that sanctuary designation does not supersede authorities or rights that existed prior to the designation. In summary the Act provides to authority to manage resources within the boundaries. The use of the terms “sanctuary waters or sanctuary resources” is common and does not imply any ownership.

### **Minutes of the November meeting**

Andy Palmer reported the comments and changes he made to the initial draft of the minutes of the November meeting, including corrections submitted by several members. He noted that he likely needs to check with another member to see if they are now comfortable with their quote.

***Jennifer Hagen moved that the minutes be adopted with the changes noted and that the other member will be contacted about their quote. Roy Morris seconded the motion. The motion was adopted unanimously with no abstentions.***

Terrie Klinger asked for any agenda topics for the next meeting. One member requested that George Galasso present an update on the MPR flow chart at the next meeting. The location of the next meeting will be determined soon. The date is March 19, 2010. Carol Bernthal also said there would be a brief update on the SAC Summit.



Carol Bernthal presented gifts to both Terrie Klinger, who is stepping down chair, and Teresa Scott, who is leaving the council to other duties within her department.

The meeting was adjourned.